

REMARKS

Applicant appreciates the time taken by Examiner Oyebeisi to review Applicant's present application. This application has been carefully reviewed in light of the Official Action mailed July 10, 2008. This Reply encompasses a bona fide attempt to overcome the rejections raised by Examiner Oyebeisi and presents amendments as well as reasons why Applicant believes that the claimed invention, as amended, complies with the written description requirement and is distinct. Accordingly, Applicant respectfully requests reconsideration and favorable action in this case.

Claim Status

Claims 1-40 were pending. Claims 22-24 and 31 are amended herein. No new claims are added. Thus, Claims 1-40 are pending.

Interview Summary

A telephonic interview was conducted on September 4, 2008 between Examiner Oyebeisi and Agent Kevin Gust. During the interview, the 112 and 101 rejections were discussed. Applicant appreciates the time and effort taken by Examiner Oyebeisi to review Applicant's present application and discuss the pending claims and the Examiner's stated reasons for rejection.

Rejections under 35 U.S.C. § 101

Claims 22-30 are rejected under 35 U.S.C. §101 by the Examiner. Claims 22-24 are amended herein. Accordingly, withdrawal of this rejection is respectfully requested.

Rejections under 35 U.S.C. § 112

Claims 1-40 were rejected under 35 U.S.C. §112, first paragraph, for failing to comply with the written description requirement. The Examiner stated the specification did not support the newly added limitation “wherein the set of results include a time-windowed relationship within the standard pricing group.” Applicant respectfully points at least to paragraph [0031] of the specification for a description of time-windowed relationships. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 1-40 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant respectfully points at least to paragraph [0027] and Table 1 of the specification for a description of possible standard pricing group attributes. Accordingly, withdrawal of this rejection is respectfully requested.

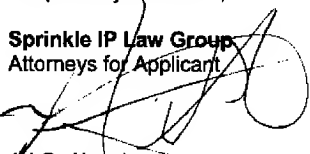
Conclusion

Applicant has now made an earnest attempt to place this case in condition for allowance. Other than as explicitly set forth above, this reply does not include an acquiescence to statements, assertions, assumptions, conclusions, or any combination thereof in the Office Action. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests full allowance of Claims 1-40. The Examiner is invited to telephone the undersigned at the number listed below for prompt action in the event any issues remain.

The Director of the U.S. Patent and Trademark Office is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-3183 of Sprinkle IP Law Group.

Respectfully submitted,

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